

SUPREME COURT.

OCTOBER TERM.

MONDAY, OCT. 21.

The Court opened at 10 a. m. His Honor Chief Justice Judd on the Bench. The case presented was that of the King vs. R. W. Wilcox. Deputy Attorney-General Peterson read the indictment which, contrary to expectation, charged the prisoner with the crime of conspiracy. Mr. Wilcox pleaded not guilty, after which he seated himself near his counsel, J. W. Kalua and Antonio Rosa. The Government was represented by the Attorney-General, Deputy Attorney General and F. M. Hatch.

The jurors were called by the clerk and sworn in by the interpreter, after which Mr. Hatch, for the prosecution, stated that the charge made to-day against Wilcox was conspiracy. He then commenced to question the jurors separately.

Maile was the first juror questioned and Mr. Hatch soon objected to him on the ground of the juror having relations who had been indicted in connection with the affair, and also on account of appearing as bondsmen for others.

Mr. Rosa considered that the degree of relationship should be established. The Court stated to Mr. Hatch that it hesitated to accept the objection on the simple claim of relationship. Finally other objections being offered the juror was excused for cause.

Mr. Ena (by Mr. Hatch)—Had expressed opinion very freely in regard to these cases; did not consider himself a fit juror to sit in this case; the evidence would not change his mind. He was excused.

Mr. Bepikane—Had not formed opinion; could try this case fairly; had not discussed the case with any of the accused; affair has been too talk and had discussed it with others.

Mr. Kamuku—Had talked about this matter; am not a relative of Mr. Wilcox; had a relative charged with conspiracy; could try this case fairly.

Mr. Gilliland—Had formed opinion relative to guilt of accused; nothing could remove it; could not try case fairly. Excused for cause.

E. Harbottle—Had formed no opinion; had talked about the case; Robert Boyd and Markham both in the affair and both are related to me; could render an honest verdict; knew no reason why he should not sit.

W. R. Holt—Had not formed opinion; had no relatives charged in connection with the affair; could give verdict in accord with the law and evidence.

Ainoa—Had read newspaper accounts; had not formed any opinion; had not heard that Wilcox acted on behalf of the King; read it in newspaper; did not know of any reason why he should not sit.

D. Kahananui—Have formed opinion; could be changed by evidence; am related to James Kahanui who is charged with conspiracy; not related only surety on his bond; if Wilcox proved that it was done under consent and knowledge of high authority it would lead my opinion. Juror excused for cause.

J. M. Bright—Not related to defendant; have a relative charged with conspiracy; he is husband of my aunt; have no formed opinion; could try case on his merits.

M. P. Robinson—Am not a relative of defendant, have formed opinion and am not competent to sit on this jury; do not think it would be fair to prisoner. Excused for cause.

Lohelani—Had read newspaper accounts; could be guided by evidence and instructions of court.

S. C. Dwight—Not a relative of any charged; could give an honest and fair verdict.

J. Mii—Have relatives charged; Kahanui and Mahalo are relatives; Mahalo's wife is my brother-in-law's daughter; (laughter). Have not formed an opinion.

M. Kawaihoo—Am related to Kamuku, who is one charged and am his bondsman; believe what has been said outside is all wind; could give verdict according to the law and the evidence.

P. D. Kellert—Have formed opinion and did not consider it right for him to sit; had a fixed opinion, evidence could not change. Excused.

A. N. Gilman—Have formed no opinion; could give verdict according to evidence.

Mii (by Mr. Rosa)—Had talked with different people; did ask the clerk if it was possible to place his name on jury list; asked a number of people if they would not like to be on the list; do not think that he said that he had authority to put them on; gave the name of one now on the jury to the clerk, Bepikane; did not have any conversation relative to guilt or innocence of prisoner; do not know person mentioned, "produce him and then I can tell."

Mr. Rosa now brought forward Joe Heleluhi, proprietor of the Waikiki milkshake. Juror at first denied knowing him, and did not remember having any conversation, finally remembered both. Another person is now produced and juror admits having conversations but denies having expressed opinion that defendant was guilty.

The Court said that the want of genuineness shown by the juror, and lack of candor in that he does not tell the whole truth right out in the face of the Court to regard him disqualified.

S. W. Kaikialine—Was objected to by Mr. Rosa on the ground that he was a Government school master.

His Honor said the policy of the Court was not to allow Government employees to sit on the jury, so the juror was excused.

C. K. Kapaiala—Being questioned by Mr. Hatch, stated he had made up his mind that defendant was not guilty. Juror immediately excused.

G. Napahuelua—Had not made up his mind; could give a verdict according to the law and evidence.

Mr. Rosa now addressed the Court and said that there was another indictment hanging over his client's head and he, as his attorney, would like to have the opinion of the Court relative thereto. He would respectfully submit that it was not fair to defendant to have the two charges over him at one time.

Judge Judd said that counsel was premature; the business now before them was the impaneling of a jury that was not yet completed; but as it was now noon the Court would order a recess till 1 p. m.

AFTERNOON SESSION.

Court resumed at 1:05 and Mr. Rosa continued the examination of jurors: Sam Kamuku—Employed in Wilder's S. S. Co.'s office; have talked about

what I have seen in newspapers; know of verdict by jurors in Loomens' and Ho Fon's case; would not affect my decision; expressed no opinion regarding defendant.

C. Mahoe—Know the verdict on two juries on previous cases; would not affect my verdict in this case.

The defense challenged peremptorily Sam Kamuku. The Court thereupon instructed the clerk to draw another juror and the clerk stated that the panel was exhausted. His Honor instructed the marshal to obtain a talesman.

The marshal then called the name of Kalaauka and it being responded to the juror took his seat and was sworn.

Mr. Hatch examined the last juror called on and the answers proved satisfactory to the prosecution and defense.

In answer to Mr. Rosa, the juror stated that people had come to him and told him what had occurred and he also knew what had occurred but he did not express opinion to any one.

At 1:20 the defense accepted the jury. The Attorney-General challenged peremptorily S. C. Dwight and he was retired, the vacancy being filled by Heil Kapu; the examination of juror was satisfactory to the prosecution and defense.

The Attorney-General now challenged Lohelani. Keat being called as talesman, and soon after Napahuelua received the third challenge of the prosecution, Kalaauka being called to fill existing vacancy. This talesman was put through a searching examination by the Attorney-General, finally resulting in the admitting by the juror that he was defective in one ear and therefore the Attorney-General objected on the ground that a juror should hear both sides.

His Honor now stated to the jury that it was the desire of the Court not to have partisans of either side of the jury. They had all been examined carefully but he would say that if any of the jurors felt in their hearts that they could not try the case by the law and the evidence he would wish any such to disclose it by rising.

There was no response from the jurors but Mr. Rosa noted an exception to the remarks thus made by the Court.

At 1:55 Attorney-General Ashford commenced the address for the prosecution, to the jury, saying in substance that they were called here to do the highest duties in citizenship and they were expected to try this case with the utmost impartiality. It was of equal interest to each side that impartial jurors be impaneled. If the prisoner is innocent it will most highly subserve the interests of justice that he be acquitted; the same occurs if he be guilty that he be convicted. The Crown wants no verdict that cannot be obtained beyond any reasonable doubt. The specific charge now brought is conspiracy. It is a fact well known that Mr. Wilcox has been prosecuted and is under indictment for treason at the present time. But the Government considers that enough blood has already been shed and do not want more lives to be forfeited for the misdoings of that day. In accord with this policy of leniency thus spontaneously put forth the charge against Mr. Wilcox has been reduced from treason, the highest penalty for which is death, to conspiracy, the highest penalty for which is only imprisonment. The Government in its ideal character is incapable of feeling resentment against any person or thing, and feeling no resentment there is no desire that the prisoner should suffer further penalty than such as would vindicate the majesty of the law and forbid further occurrences of like nature. The members of the Administration have determined to make a practical exhibit of their disposition to mercy in advance, and it is exemplified in this case by the charge presented.

The learned counsel then presented an outline of what the prosecution intended to prove, ending his remarks at 2:30 o'clock.

At this point His Honor instructed the remaining members of the jury to retire until such time as they would be officially notified, but requested that they make themselves cognizant of the progress of the case by morning visits.

DIRECT EXAMINATION.

Robert N. Boyd (sworn). Know Wilcox a number of years; know of organization formed by him; the first meeting was at Iwilei; I was there; found three sailors, the man Lutta and two others; do not know the two by name; Loomens was there; Wilcox and I the only Hawaiians present; there the new constitution and oath of secrecy were produced and read; all there took the oath, eight altogether; Wilcox administered the oath; the languages during the meeting were English and Italian; meeting was postponed from then until the next Sunday; the next meeting was on top of Punchbowl at 4 p. m. on a Sunday; same parties present at Punchbowl; meeting; could not formulate plans to obtain funds; the next meeting held one week after; held at house of Princess Liliuokalani about 8 p. m.; same crowd was present; at Punchbowl on Saturday; same subject discussed same result; fourth meeting held at that same place; all but one were present; at the fourth meeting Wilcox said he had means to carry out object; did not say where during meeting; but told me privately he would get it from Chinese; nothing else discussed; the officers were elected at first meeting at Iwilei, Wilcox, president; Loomens, vice-president; fifth meeting was on the 10th of July; held at Palama; I went about 8 p. m.; Wilcox resided there; meeting was held in dining room; the Princess was not then living there; I was placed on guard in the front of the house by Wilcox; I had a revolver; there were about thirteen present; three foreigners, viz.: Loomens, Lutta and a sailor; ten others present; there were thirteen guns collected; Winchester, Springfield and Sharps; saw them in Wilcox's room; I bought two of the rifles from Dr. Brodie; Wilcox gave me the money; I took them to Palama; it was proposed that night to take possession of the palace; the arms were all prepared; it was proposed to have a new constitution and oust the Ministers; the towns to be placed under martial law, and the King was to restore the old constitution; Wilcox told me this privately; the proposition to go was made at this meeting, but it was defeated; meeting adjourned until the next night; it was held at the same place and was the sixth meeting; Loomens was present and was the only foreigner; Ho Fon was present; J. T. Baker was there that night; Wilcox sat at the head of the table; I insisted that the movement be made that night; John Baker was sworn that night.

To Mr. Hatch—I tried to insist on our going, but the majority objected; we were carrying arms to get into the palace; thought that we could scare the Ministry out; the rifles were to be used if necessary; we were to go to the palace and if we found the King there we would get

him to sign the new constitution; if the King did not agree I don't know what Wilcox was going to do; meeting of the 20th was held at Palama, same place; when I came in I saw seventy or eighty people gathered there; there were about thirty-five rifles and thirty-six bird guns; Wilcox had changed lodgings and was living in the servant's quarters; distributed lead, powder and caps to people present; I loaded guns with powder and lead; I distributed the bird-guns; Wilcox told me to look after the guards; five guards were posted; Wilcox gave order to start; started between 3 and 4 in the morning; there were three squads; Wilcox told me to take charge of the third squad, but I did not, so went behind with a lantern; when we came to palace Wilcox ordered the gates to be opened; that not being done Wilcox said to get ready, they got ready by pulling back the triggers of the guns; got inside; formed two lines on left hand or mauka side of palace; heard palace soldiers cock their guns. Wilcox then called Parker down and spoke to him and Parker went back; we then got cannon and placed it in position; there was a large lot of ammunition found; different kinds of shells, time fuse and percussion; the cannons were fired during the night; I got shot in the leg by a bullet in the music hall; I was shot in the head and laid down; I afterwards went to the Bungalow; Wilcox was there all the afternoon; he and others were shifting their positions to escape shots.

CROSS EXAMINATION.

Was not in command; coming to palace Wilcox told me to do so but he went ahead and I was in the rear; we went to Italy together, were there several years at school together; I reported here to Minister Godfrey Brown as a graduate of a naval academy; don't know that the Government asked me to show my diploma; Mr. Brown remarked I was expensive in coming back; my brother told me not to join this organization; between the 11th and 29th of July had a difficulty with my brother; do not remember that he threatened to report me to the Minister of Interior; he knew nothing about the secret society; he blamed me for being so much with Wilcox; I don't remember that he said, "Bobby, I know what you are up to, trying to get the old man"; don't think my education abroad had done me any good; my brother knew nothing about the society; if he had the Ministers and everybody else would; the object was stated at Iwilei meeting; it was not my suggestion that death should be the penalty; do not remember that I suggested the death of Lutta for breaking faith; don't know that the oath was a duty; it was only a pledge, I call it an oath.

At this stage of the proceedings Mr. Rosa stated that he desired to ask regarding the charge of treason which was yet pending over his client. He had understood the Attorney-General to imply to the jury that he purposed discontinuing that charge and go to trial on the lesser charge now presented. He would ask that the charge of treason against his client be cleared of record.

Attorney-General Ashford said that he could not say that he would drop the charge, can't tell when it may be advisable to pursue it. In sailor's parlance he did not propose unless by stress of weather, to withdraw the first charge. The life of the defendant was not in danger on this charge.

His Honor did not see what difference it could make at this stage to withdraw the charge of treason.

Mr. Rosa considered that it made considerable difference to his client. He thought on simply the ground of fairness alone the prima facie charge should be withdrawn.

The Court stated that it was willing to do its duty in every respect, but it did not have the power to order the Attorney-General to nolle pro. charges. His Honor then concluded that the day's proceedings might end here, and after cautioning the jury against converse on the matter on trial permitted them to depart to their homes.

His Honor then called the case No. 97, Manuel Perry, larceny. Appeal from plea of not guilty and pleas guilty, and is thereupon sentenced to ten days imprisonment and a fine of \$25.

The Court was then adjourned until Tuesday morning at 9:30 o'clock.

TUESDAY, OCT. 22.

The Court convened at 9:30 o'clock, but on account of the non-attendance of Robert Boyd the proceedings were delayed until 9:54. Witness then took the stand and Mr. Rosa for the defense continued the cross-examination:

Do not remember Boyd continuing said: Do not remember the exact terms of the constitution or the agreement; we knew before we started from Palama that the King was not in the palace; understood we were to try to get him there; I did not insist on moving that night of the 29th; I did not take in any of the police into our line; no resistance was offered to getting into palace; was in the palace when the King was there; I was in company with Wilcox; went to try to get the King; had no evil purpose; saw the Queen; she received us cordially; was not shown where the guns were; went to the barracks to see Kahalewai; did not see him; noticed no field pieces in the barracks; was told by soldiers that they were brought into the palace; Parker was in charge of the palace; saw Princess Liliuokalani; people cheering the Princess; Poole was called easily have taken possession of the palace; Parker told us he was guarding the palace; thought Parker received a message from the King; Parker spoke to Wilcox in a friendly tone of voice; Parker had no arms, could easily have made him prisoner; Wilcox told me when the section presented itself to fire; did think there was occasion for it; I was shot; am sure that I was shot from the Music Hall; shot first in left thigh, afterward on left side of head; second shot came either from Hopper's or Kawaiahoo church; I went through the palace from front to rear; I opened the door; I had a revolver in my pocket; saw one guard there coming from basement; no hindrance was offered me; saw Mr. Hoppell Baker a little after daybreak in palace yard; he came in with J. W. Robertson the King's chamberlain; he spoke to Wilcox; very friendly; heard Robertson ask Wilcox for permission to go to his office; did not hear Robertson ask anybody to disperse; did not see Baker again during the day; asked Parker where ammunition and guns were; he said in the barracks; had conversation with Attorney-General; he told me if I told the truth he would let me turn State's evidence and I would get clear altogether; would not have given this evidence if I had not received that promise; we would have protected the King if he was in the palace; I would have sustained the King; I did not expect any resistance; heard that palace

soldiers were all in our favor; I heard that the Rifles would be in favor; had no trimmers, but understood that they were later obtained from the barracks. Rice-bird guns were loaded with powder and lead. Had been loaded at Palama. I had charge of cannon on Waikiki side. Kahanui came to the palace with party. He was given charge of squad of men to take charge of Government building. He had about fifteen men. There was firing from the palace yard that day. I fired mine at Music Hall. Heard reports of other cannon. I was wounded. Fired a rifle twice. At Music Hall. Stopped firing through weakness from wound. Wilcox was near Boyd's cannon. After firing opened Wilcox disappeared. Did not see him any more that day. I went and laid in the magazine. Staid there until surrender. He was captured and taken to the Dr. McGowan's, then to police station, then to hospital, then Oahu prison and later at police station. Did not know of any Government officer applying for admittance to palace yard that day.

Cross-examined by Mr. Rosa—Told natives not to handle Schumann roughly. Wilcox told him he could have liberty of palace yard. Had no orders from Parker or anyone to go away from palace. Understood that we were to capture Parker. At this hour 2:05 an alarm of fire disturbed the serenity of the proceedings so much that His Honor instructed the Marshal to obtain knowledge of the locality. Marshal reported fire on Kukui street.

Markham (resuming)—Could have taken possession of palace. Parker had only fifteen men with him. Saw Hoapili Baker there in the morning. He was aide he camp on His Majesty's staff. There is a telephone in chamberlain's office. I heard that the palace should not be attacked or disturbed, understood it to be an order from His Majesty. "Don't you take the palace; the King says to remain in the yard," that was the order. Baker and Wilcox were friendly. Thought King would be in danger if he signed the new constitution. Part of our object in arming to protect him. Thought guns could get a constitution because guns had got the other one (sensational). We had intimidation that we would be successful. Heard from barrack soldiers that they would assist us. Wilcox gave me information that we would succeed. Bush did not know I was going after his rifle. Asked his wife for it. I saw it and took it. Tests objected because he said he was disgusted with the other one. I know that a half-white gave away the other secret meeting. Tests and Wilcox had a very hot argument. Did not hear words. Gave statement to Attorney-General about ten days before first trial. I gave it away because I understood the others had given it away. Had attorney at the time. My attorney advised me not to do so. I thought differently. Saw reports in newspapers. No promises were made to me. Did this of my own accord. First gave it away to the Attorney-General. Hon. S. M. Damon visited me at the hospital. I did swear once to keep these things secret. Did say at Loomens' trial that I gave evidence I would not be prosecuted. Was not advised that any statement made by me would be dangerous. The undertaking before I gave my statement was that I should be nolle pro'd. Was in Government employ. Was discharged on account of trouble regarding passports. I was Port Surveyor. I was not prosecuted. There were a number of us dismissed at the same time. None of us have been prosecuted. Offices are all now filled. I don't know who bought guns from Ahlo. Wilcox told me to get them. Wilcox and others advised me not to proceed rashly in this movement. Did not wish to do the King any harm. First shot was fired at us from Music Hall. No shots had previously been fired by us. Received no orders to fire from Wilcox. I fired after I was hit. Firing became general after first shot from Music Hall. I know two who were killed. Heard that about seven died altogether. Fired my gun partly in self-defense. Men who shot at us were sheltered. We were all exposed.

To the Court—Was not surprised to see Schumann in uniform. Thought that some of the Rifles were with us. To Mr. Rosa—Our plan before leaving was to take guns and ammunition in palace. The bird-guns were intended for a show. We would not have fired if they did not fire from Music Hall.

James Kahanui, direct examination—Saw Wilcox and Poepoe talking to one another one day. Poepoe beckoned me and came and got into my hack and took a ride. He invited me to a feast at 9 p. m. at Princess Liliuokalani's. Wilcox spoke to me too. No talk on politics. Went there at 9 did not see any feast. Saw Loomens near gate with gun. Boyd and Markham asked me if I had a rifle. I brought my Winchester. Boyd took possession of it. Don't know date. Kanoa, Wilcox and myself went into room. Wilcox said desirous we become members of a certain but Wilcox read from book, explained that there was no intent to commit treason against King, because a member took an oath. Staid till 3 a. m. Wilcox was there. At sundown on the 29th was at home. Witness then corroborated the testimony previously given by George Markham with regard to collecting arms and ammunition and delivery at Palama. After the first report I heard that they commenced firing from the music hall, then firing commenced from inside palace yard. Saw Markham hit and knocked down. He then jumped up and fired his gun. I helped him to magazine, tried to bind his wounds. Thought he was going to die. Then went to bungalow. Wilcox came there. Remained there till just before Wilcox was taken prisoner, then I left the premises. Skipped. We were fighting those who were firing from the outside.

At 4 the cross examination of witness was commenced by Mr. Kalua. Saw Parker and Kahalewai, they did not arrest me. I slept with the soldiers in the barracks that night. Stayed till nearly 9 o'clock in the morning. Think Parker and Kahalewai both saw me in the barracks. No one told me how to escape. Neither Parker nor Kahalewai saw me in the morning. Stayed near Punchbowl for a week, then went to Paoula. Wanted to give my wounds a chance to heal up. Think I was arrested on charge of treason. Had no weapons. Made no resistance. Now held for conspiracy. Don't know reason for change. No inducements held out to me to testify. The oath taken was "You swear before Almighty God that you will carry out the objects of this association and that you will keep the secrets thereof." It was not a mere agreement. I have violated that oath by telling what I have told here. John Baker took the oath the same as I did. Wilcox wished to go to

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Markham (resuming)—Could have taken possession of palace. Parker had only fifteen men with him. Saw Hoapili Baker there in the morning. He was aide he camp on His Majesty's staff. There is a telephone in chamberlain's office. I heard that the palace should not be attacked or disturbed, understood it to be an order from His Majesty. "Don't you take the palace; the King says to remain in the yard," that was the order. Baker and Wilcox were friendly. Thought King would be in danger if he signed the new constitution. Part of our object in arming to protect him. Thought guns could get a constitution because guns had got the other one (sensational). We had intimidation that we would be successful. Heard from barrack soldiers that they would assist us. Wilcox gave me information that we would succeed. Bush did not know I was going after his rifle. Asked his wife for it. I saw it and took it. Tests objected because he said he was disgusted with the other one. I know that a half-white gave away the other secret meeting. Tests and Wilcox had a very hot argument. Did not hear words. Gave statement to Attorney-General about ten days before first trial. I gave it away because I understood the others had given it away. Had attorney at the time. My attorney advised me not to do so. I thought differently. Saw reports in newspapers. No promises were made to me. Did this of my own accord. First gave it away to the Attorney-General. Hon. S. M. Damon visited me at the hospital. I did swear once to keep these things secret. Did say at Loomens' trial that I gave evidence I would not be prosecuted. Was not advised that any statement made by me would be dangerous. The undertaking before I gave my statement was that I should be nolle pro'd. Was in Government employ. Was discharged on account of trouble regarding passports. I was Port Surveyor. I was not prosecuted. There were a number of us dismissed at the same time. None of us have been prosecuted. Offices are all now filled. I don't know who bought guns from Ahlo. Wilcox told me to get them. Wilcox and others advised me not to proceed rashly in this movement. Did not wish to do the King any harm. First shot was fired at us from Music Hall. No shots had previously been fired by us. Received no orders to fire from Wilcox. I fired after I was hit. Firing became general after first shot from Music Hall. I know two who were killed. Heard that about seven died altogether. Fired my gun partly in self-defense. Men who shot at us were sheltered. We were all exposed.

To the Court—Was not surprised to see Schumann in uniform. Thought that some of the Rifles were with us. To Mr. Rosa—Our plan before leaving was to take guns and ammunition in palace. The bird-guns were intended for a show. We would not have fired if they did not fire from Music Hall.

James Kahanui, direct examination—Saw Wilcox and Poepoe talking to one another one day. Poepoe beckoned me and came and got into my hack and took a ride. He invited me to a feast at 9 p. m. at Princess Liliuokalani's. Wilcox spoke to me too. No talk on politics. Went there at 9 did not see any feast. Saw Loomens near gate with gun. Boyd and Markham asked me if I had a rifle. I brought my Winchester. Boyd took possession of it. Don't know date. Kanoa, Wilcox and myself went into room. Wilcox said desirous we become members of a certain but Wilcox read from book, explained that there was no intent to commit treason against King, because a member took an oath. Staid till 3 a. m. Wilcox was there. At sundown on the 29th was at home. Witness then corroborated the testimony previously given by George Markham with regard to collecting arms and ammunition and delivery at Palama. After the first report I heard that they commenced firing from the music hall, then firing commenced from inside palace yard. Saw Markham hit and knocked down. He then jumped up and fired his gun. I helped him to magazine, tried to bind his wounds. Thought he was going to die. Then went to bungalow. Wilcox came there. Remained there till just before Wilcox was taken prisoner, then I left the premises. Skipped. We were fighting those who were firing from the outside.

At 4 the cross examination of witness was commenced by Mr. Kalua. Saw Parker and Kahalewai, they did not arrest me. I slept with the soldiers in the barracks that night. Stayed till nearly 9 o'clock in the morning. Think Parker and Kahalewai both saw me in the barracks. No one told me how to escape. Neither Parker nor Kahalewai saw me in the morning. Stayed near Punchbowl for a week, then went to Paoula. Wanted to give my wounds a chance to heal up. Think I was arrested on charge of treason. Had no weapons. Made no resistance. Now held for conspiracy. Don't know reason for change. No inducements held out to me to testify. The oath taken was "You swear before Almighty God that you will carry out the objects of this association and that you will keep the secrets thereof." It was not a mere agreement. I have violated that oath by telling what I have told here. John Baker took the oath the same as I did. Wilcox wished to go to

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